

REMARKS

Claims 1-9 are pending herein. In applicants' response of May 23, 2008, the title was amended as requested by the Examiner. Claim 9 has been amended by replacing the term "phytopathogenic microorganisms" with the term "fungi". Support for this limitation can be found throughout the original specification including page 1, line 9 and the examples on pages 72-74.

Claim 9 has been rejected under 35 USC 112, 1st paragraph as the specification allegedly does not enable one skilled in the art to practice the invention commensurate in scope with these claims. Applicants respectfully traverse.

Claim 9 has been amended by replacing the term "phytopathogenic microorganisms" with the term "fungi". Applicants submit that the present claim is enabled by the instant specification as the biological examples demonstrate fungicidal activity of a number of different compounds within the scope of claim 1 as well as demonstrating this activity across a variety of fungal species.

In view of the above amendments and arguments, Applicants respectfully submit that the rejection under 35 U.S.C. §112 have been overcome. Accordingly, this rejection should be withdrawn and the application passed to issue.

As this response is submitted within four (4) months from the mailing date of the Office Action, a 1-month extension of time is included herewith.

However, in the event the undersigned is mistaken in his calculations, an appropriate extension of time to respond is respectfully requested, and the Commissioner is authorised to debit the appropriate fee for that extension, or any other fee, from the deposit account of the undersigned, no 50-1676 in the name of Syngenta Crop Protection, Inc.

Respectfully submitted,

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